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EXAMINER

NGUYEN, HAU H

ART UNIT PAPER NUMBER

2676

DATE MAILED: 02/24/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary

Application No.

09/639,196

Applicant(s)

PALIN, ARTO

Examiner

Hau H Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 04 December 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 3,4,10,13,19,20,22,23 and 30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-2, 5-9, 11-12, 14-17,21, 24-29, 31-36 is/are rejected.
- 7) ☒ Claim(s) 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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Response to Amendment

1. The amendment filed on the December 4, 2002 day has been fully considered, but they are not persuasive.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claim 7 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 7 recites the limitation "the receiver". It is not clear whether Applicant claims the receiver of the mobile terminal or the receiver of the display device. Claim 36 recites "the mobile terminal of claim 36". There is insufficient antecedent basis for this limitation in the claim. It appears that claim 36 is dependent upon claim 35.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-2, 8-9, 11-12, 14-17, 25-28, 32, 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nahi (U.S. Patent No. 6,084,584) in view of Wharton et al. (U.S. Patent No. 5,831,664).

Referring to claims 1, 28, and 35, Nahi et al. disclose a communication system comprising a portable display tablet that is operated in conjunction with a base computer system including a host processor for executing an application program with a predetermined operational function that generates predetermined graphics data and operates in response to predetermined input data. The computer system also includes a wireless data transceiver coupled to the processor that is capable of communicating the predetermined graphics and input data between the computer and portable display tablet. The portable display tablet comprises a graphics display panel for displaying predetermined graphical data, a low power wireless data transceiver providing short range data communication of the predetermined graphics and input data between the base computer system and portable display tablet, and a controller embedded within the portable display tablet and coupled to the low power wireless data transceiver that executes a control program to process the predetermined graphics data to provide the predetermined graphical display data to the graphics display panel (see column 3, lines 56-68 and column 4, lines 1-8).

Thus, Nahi teaches all the limitations of claim 1, except for the mobile terminal having a splitting means for splitting the first and second data, and a transmitter for transmitting the second data.

However, Wharton et al. teach a method is provided for synchronizing display of data relating to a predetermined application between the interactive terminal and at least one mobile interface device having a display. The method includes the step of providing each of the at least one mobile interface device with a user input receiving means for receiving a user input signal and for transmitting the user input signal for synchronization with the interactive terminal. The

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method also includes the step of providing a set-top transceiver device operatively coupled to the interactive terminal for receiving the user input signal from the at least one mobile interface device and for transmitting a synchronization signal to the at least one mobile interface device and the interactive terminal (col. 2, lines 12-25). Wharton et al. teach the set-top transceiver receives the synchronization signal which includes a first display control signal and a second display control signal, the first display control signal for controlling the display of the at least one mobile interface device and the second display control signal for controlling the display of the interactive terminal (col. 2, lines 31-35). With reference to Fig. 1, Wharton et al. further teach the set-top transceiver device 16 then receives signals from the server 18 and broadcasts a first display signal to the mobile interface device 12 and transmits a second display signal to the interactive terminal 14. (col. 4, lines 1-4).

Therefore, it would have been obvious to one skilled in the art to utilize the method for the set-top box as taught by Wharton as a splitting means for splitting data into first and second formant, in combination with the method for interaction between PDA device and external display as taught by Nahi et al. in order to send appropriate data to the target device (col. 4, lines 9-11).

In regard to claims 2 and 32, as cited above, Nahi et al. teach the portable display tablet having a low power wireless data transceiver providing short range data communication of the predetermined graphics and input data between the base computer system and portable display tablet.

As for claim 8, as cited above, Nahi et al. teach all the limitations of claim 8 except for the display device having a means for informing mobile terminal of display capability. However,

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as cited above, Wharton et al. teach synchronization signal which includes a first display control signal and a second display control signal, the first display control signal for controlling the display of the at least one mobile interface device and the second display control signal for controlling the display of the interactive terminal (col. 2, lines 31-35).

Therefore, it would have been obvious to one skilled in the art to utilize the method for the set-top box as taught by Wharton as a splitting means for splitting data into first and second formant, in combination with the method for interaction between PDA device and external display as taught by Nahi et al. in order to send appropriate data to the target device (col. 4, lines 9-11).

In regard to claims 9, 16, and 36, Nahi et al. teach a PCMCIA card 44 may implement a cellular phone interface, which would allow the display tablet 20 to be operated at great distance from the host computer 14 through a combination of air-links and land-lines that route to the host computer system 14 in a conventional manner (col. 8, lines 48-52).

Referring to claims 11 and 12, as cited above, Nahi et al. teach all the limitations of claims 11 and 12 except for the cellular telephone network comprises a means for transmitting data packets. However, as cited above, Wharton et al. teach the transceiver receives synchronization signal which includes a first display control signal and a second display control signal, the first display control signal for controlling the display of the at least one mobile interface device and the second display control signal for controlling the display of the interactive terminal (col. 2, lines 31-35).

Therefore, it would have been obvious to one skilled in the art to utilize the method for the set-top box as taught by Wharton as a splitting means for splitting data into first and second

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formant, in combination with the method for interaction between PDA device and external display as taught by Nahi et al. in order to send appropriate data to the target device (col. 4, lines 9-11).

In regard to claims 14, 17, and 34 although Nahi et al does not teach the mobile terminal is not capable of displaying graphical information in the second format, Wharton et al., as depicted in an example of Real Estate Application in Figs. 3a-3f, teach the PDA 12 can be used as a standalone device, or can be used with the TV 14. With reference to Figs. 3b and 3c, for example, Wharton et al. teach if a TV 14 is used, the TV 14 displays a large view of the home. A low-resolution view of the home can also be presented on the House Information Screen. The image on the PDA 12, which appears as an overlay of the text, is useful if a TV 14 is not available (col. 4, lines 65-68, and col. 5, lines 1-2). Thus, the PDA 12 is not capable of displaying the graphic information in the second format (TV format).

In regard to claims 15 and 25, as shown in Fig. 3, Nahi et al. teach the main memory 66 is preferably sized sufficient to allow execution of a control program implementing primarily the display function of the tablet 20 independent of the actual execution of the application program (col. 10, lines 4-8).

Referring to claim 26, as shown Figs. 3a-3f and as cited above, Wharton et al. teach the PDA 12 can display both text and image (Fig. 3c), and if the user is using a TV 14, selecting a room causes an image of the room to be displayed on the TV 14. "PLAY" and "STOP" video control buttons appear on the screen of the PDA 12 when a floor plan is being studied. When the "PLAY" button is selected, a video showing the entire room is presented on the interactive terminal 14 (col. 5, lines 47-53).

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In regard to claim 27, as cited above in claim 1, Wharton et al. teach the set-top transceiver receives the synchronization signal which includes a first display control signal and a second display control signal, the first display control signal for controlling the display of the at least one mobile interface device and the second display control signal for controlling the display of the interactive terminal (col. 2, lines 31-35).

6. Claims 5-7, 21, 29, and 33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nahi et al. (U.S. Patent No. 6,084,584) in view of Wharton et al. (U.S. Patent No. 5,831,664) and further in view of Thomas et al. (U.S. Patent No. 6,453,160).

In regard to claims 5-7, 21, 29, and 33, as applied to claim 2, 9, 28, and 32 above, Nahi et al. and Wharton et al. teach all the limitations of claims 5-7, 21, 29, and 33, except for the wireless short range communication link is a Bluetooth link.

However, Bluetooth wireless technology is well known in the art for providing wireless communication link, as is described in U.S. Patent No. 6,453,160 to Thomas et al. As shown in Fig. 2, Thomas et al. teach a wireless data system 200 including a wireless network 209, a data server 212 (such as, for example, a gaming server), a plurality of base stations 206, a plurality of handheld wireless devices 202 (such as first and second wireless devices shown in FIG. 2), and a broadcast transmitter 215. A handheld wireless device 202 may include, for example, cellular phones, pagers, radios, personal digital assistants (PDAs), etc. (col. 2, lines 53-63). Thomas et al. further teach the broadcast transmitter 215 may use any available channel format or access format, such as time division multiple access (TDMA), frequency division multiple access (FDMA), code division multiple access (CDMA), Bluetooth, etc. (col. 4, lines 22-32).

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Therefore, it would have been obvious to one skilled in the art to utilize the transmitter using Bluetooth link as taught by Thomas et al. in combination with the communication system as taught by Nahi et al. and Wharton et al. in order to obtain an improved digital data transfer method and apparatus for conducting a digital data transfer over a wireless network (col. 2, lines 25-28).

7. Claims 24 and 31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nahi et al. (U.S. Patent No. 6,084,584) in view of Wharton et al. (U.S. Patent No. 5,831,664) and further in view of Sharma (U.S. Patent No. 6,287,200).

Referring to claims 24 and 31, as applied to claims 2 and 28 above, Nahi et al. and Wharton et al. teach all the limitations of claims 24 and 31, except for the communication link utilizing a wireless transmission compliant with the Wireless Application Protocol Standard.

However, Sharma teach a method to enable multiple participants, or players, to play a virtual game with each other, utilizing respective mobile devices. In particular, the virtual game can be implemented by a wireless application protocol (WAP) data packet network whereby the players and their mobile devices can be located anywhere in the world (col. 1, lines 40-50).

Therefore, it would have been obvious to one skilled in the art to utilize the method as taught by Sharma in combination with the communication system as taught by Nahi et al. and Wharton et al. since there are no range limits which would restrict the eligibility of participants (col. 4, lines 12-15).

8. Claim 18 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hau H. Nguyen whose telephone number is: 703-305-4104. The examiner can normally be reached on MON-FRI from 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Bella can be reached on 703-308-6829.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)


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Hand-delivered response should be brought to Crystal Park II, 2121 Crystal Drive,
Arlington, VA, Sixth floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose
telephone number is (703) 306-0377.

H. Nguyen

02/18/2003


MATTHEW C. BELLA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600